

REQUEST FOR CONTINUED  
EXAMINATION (RCE) TRANSMITTAL

Address to:  
MAIL STOP RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

|                             |                               |
|-----------------------------|-------------------------------|
| <i>Application Number</i>   | 10/626,856                    |
| <i>Filing Date</i>          | July 25, 2003                 |
| <i>First Named Inventor</i> | Thorsten H. Brants            |
| <i>Art Unit</i>             | 2167                          |
| <i>Examiner</i>             | Kimberly M. Lovel             |
| <i>Attorney Docket No.</i>  | A3052-US-NP<br>(XERZ 2 01563) |

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 CFR 1.114

a. ☐ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief filed on

ii. ☐ Other.

b. ☒ Enclosed

i. ☒ Preliminary Amendment

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement, PTO-Form 1449 and references

iv. ☐ Other \_\_\_\_\_

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☒ Applicant(s) hereby petition the Commissioner under 37 C.F.R. § 1.136(a) and request a **two-month extension of time** to respond to the outstanding Office Action. Payment for the filing of this two-month extension of time is being authorized to be charged to a **Credit Card via the EFS Web**. If for any reason the Credit Card cannot be charged, the Commissioner is hereby authorized to charge any deficiency of the applicable fees or to credit any overpayment to Deposit Account No. 06-0308.

c. ☐ Other \_\_\_\_\_

3. Fees (The RCE fee under 37 CFR 1.114(e) is required by 37 CFR 1.114 when the RCE is filed.)

**CLAIMS AS FILED, LESS ANY CLAIMS CANCELED BY ABOVE-INDICATED AMENDMENT(S)**

| (1) FOR   | (2) CLAIMS REMAINING<br>AFTER AMENDMENT LESS<br>HIGHEST NUMBER<br>PREVIOUSLY PAID FOR | (3) NUMBER<br>EXTRA | (4) RATE | (5) CALCULATIONS |
|---|---|---------------------|----------|------------------|
| TOTAL CLAIMS<br>(37 CFR 1.16(c))  | 19 - 37 =   | 0                   | x \$50   | = \$0.00         |
| INDEPENDENT CLAIMS<br>(37 CFR 1.16(b))  | 3 - 5 =   | 0                   | x \$200  | = \$0.00         |
| MULTIPLE DEPENDENT CLAIMS<br>(IF APPLICABLE)<br>(37 CFR 1.16(d))  |   | ANY -- 0            | x \$360  | = \$0.00         |
| APPLICATION SIZE FEE<br>(FOR APPLICATION THAT EXCEEDS<br>100 SHEETS, FEE FOR EACH GROUP<br>OF 50 ADDITIONAL SHEETS) | 0 GROUP(S)  |                     | x \$250  | = \$0.00         |
| BASIC RCE FEE (37 CFR 1.16(a))  |   |                     |          | \$790.00         |
| TOTAL LARGE ENTITY FEE =  |   |                     |          | \$790.00         |

Payment for the filing of this Request for Continued Examination (and if applicable, the search and examination fees) are being authorized to be charged to a **Credit Card via the EFS Web**. If for any reason the Credit Card cannot be charged, the Commissioner is hereby authorized to charge any deficiency of the applicable fees or to credit any overpayment to Deposit Account No. 06-0308.

Respectfully submitted,

FAY SHARPE LLP

Date

9/20/07

Mark S Svat, Reg. No. 34,261  
1100 Superior Avenue, Seventh Floor  
Cleveland, OH 44114-2579  
Customer No. 61962  
216-861-5582

**Certificate of Mailing or Transmission**

I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being

☐ deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

☒ transmitted to the USPTO by electronic transmission via EFS-Web on the date indicated below.

Date: 9-20-07

Signature: *Karen Forsyth*

Name: Karen M. Forsyth